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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

SEQUOIA FORESTKEEPER and EARTH
ISLAND INSTITUTE,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE,

Defendant.

No.:

**DECLARATION OF RENÉ VOSS, IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

1 I, René Voss, declare as follows.

2 1. I am one of the attorneys of record for Plaintiffs in this case.

3 2. All the documents attached to my declaration are true and correct copies of
4 original documents.

5 3. Attached hereto as **Exhibit A** is a true and correct copy of a document titled
6 “**Plateau Roads Hazards Tree Project Biological Assessment**,” dated May 12, 2020.

7 4. Attached hereto as **Exhibit B** is a true and correct copy of email correspondence
8 between DOJ’s John Tustin and attorney René Voss, from May 19 and 21, 2021.

9 5. Attached hereto as **Exhibit C** is a true and correct copy of a document titled
10 “**NEPA COMPLIANCE CHECKLIST ... Sequoia National Forest Kern River Ranger**
11 **District Name of Project: Plateau Roads Hazard Tree (HT) Project**,” signed on June 2, 2020.

12 6. Attached hereto as **Exhibit D** is a true and correct copy of email correspondence
13 between Sequoia Forest Service staff Barbara Johnston and attorney René Voss, from November
14 2020 and December 3, 2020.

15 7. Attached hereto as **Exhibit E** is a true and correct copy of documents that include
16 a cover letter, advertisement, and “**TIMBER SALE PROSPECTUS ... Kern Plateau Reoffer**
17 **HT Timber Sale**,” dated December 3, 2020.

18 8. Attached hereto as **Exhibit F** is a true and correct copy of email correspondence
19 between DOJ’s Bridget McNeil and attorney René Voss, from June 6 and 8, 2021.

20 9. Attached hereto as **Exhibit G** is a true and correct copy of email correspondence
21 between Sequoia Forest Service staff Penelope Shibley and attorney René Voss, from October 27
22 and 29, 2020.

23 10. Attached hereto as **Exhibit H** is a true and correct copy of selected page of a
24 document titled “**Environmental Assessment Piute Fire Roadside Hazard Tree Removal**
25 **Project, Kern River Ranger District, Sequoia National Forest**,” dated March 2009.

26 11. Attached hereto as **Exhibit I** is a true and correct copy of three maps, titled “**Kern**
27 **Plateau HT Timber Sale Area Map**,” including 1 of 3, 2 of 3, and 3 of 3.

1 12. Attached hereto as **Exhibit J** is a true and correct copy of selected page of a
2 document titled “**Sierra Nevada Forest Plan Amendment, Final Supplemental**
3 **Environmental Impact Statement, Record of Decision,**” dated January 2004.

4 13. Attached hereto as **Exhibit K** is a true and correct copy of email correspondence
5 between DOJ’s John Tustin and attorney René Voss, dated July 2 and 6, 2021.

6 14. These documents present evidence for and are relevant to Plaintiffs’ claims and
7 request for injunctive relief, and therefore the Plaintiffs are submitting them for the Court’s
8 review.

9 15. On July 2 and again on July 6, 2021, I attempted to reach DOJ counsel John
10 Tustin and Bridget McNeil, Defense counsel for the agency Defendant U.S. Forest Service in
11 another matter before this Court and Plaintiffs, by phone and by email to meet and confer to
12 discuss the potential to resolve the dispute and avoid the need for preliminary relief. I also
13 attempted to contact the USDA Office of General Counsel’s attorneys Ritu Ahuja and Jamie
14 Rosen for the same reason. On July 6, 2021, DOJ counsel John Tustin responded that DOJ is
15 trying to identify counsel to assign to this case and is working on a status update. However,
16 Plaintiffs needed to file their Motion for Preliminary Injunction on July 6, 2021, prior to further
17 conference with Defendant’s counsel, in order to get on the Court’s earliest possible hearing
18 calendar on August 3, 2021, which was available according to my phone conversation with
19 Courtroom Deputy Jami Thorp, whereas the August 17, 2021, was not available due to a
20 scheduled trial.

21
22 I declare, under penalty of perjury, that the foregoing is true and correct to the best of my
23 knowledge and recollection.

24 Executed on July 6, 2021 in San Anselmo, California.

25
26 

27 René Voss
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